

**AFSCME PROPOSAL – ARTICLE 6 UNION RIGHTS (MEF)  
ARTICLE 8 DUES AND AGENCY FEE DEDUCTIONS (CEO), ARTICLE 15  
BULLETIN BOARDS, ARTICLE 20 MAINTENANCE OF MEMBERSHIP (CEO), &  
ARTICLE 37 ADVANCE NOTICE (CEO)**

*Rationale:*

*This proposal underscores, as will all of our proposals that we are stepping up to ensure that the City of San Jose continues to be a great place to work. Union Rights are extremely important to union members and a crucial part of any collective agreement. We have sought to clarify language as well as make a proposed change that will ensure improved communication and provide for advance planning and organization.*

Proposed MEF Language

**ARTICLE 6 UNION RIGHTS**

6.3 Maintenance Of Membership

6.4 Agency Fee

*The language in these sections will likely change when an eventual agreement occurs since the dates will reflect the commencement of the new contract.*

6.6 Bulletin Board Information Posting

6.6.1 Recognized employee organizations may use designated portions of City bulletin boards in departments, which have employees in the representation units for which the Union is recognized and may use the City's Intranet Employee News Network.

6.6.2 Subject to the provisions contained herein, the following types of Union notices and announcements listed below may be posted on the bulletin boards and the City's Intranet Employee News Network:

6.6.2.1 Meetings, elections, welfare, recreational and social affairs and such other notices as may be mutually agreed upon between the Union and the Municipal Employee Relations Officer or designee.

6.6.3 All material shall identify the Union responsible for its posting. Copies of all material to be posted must be filed with the Municipal Employee Relations Officer or designee who shall have the sole and exclusive right to order the removal of any objectionable material.

6.6.4 The Municipal Employee Relations Officer or designee shall notify the Union of any material ordered removed. The Union shall be given the opportunity to revise the material to delete the objectionable section or sections.

6.6.5 The City reserves the right to determine where the bulletin boards shall be placed and what portion of such bulletin boards are to be allocated to employee organizations.

6.6.6 Failure of the Union to abide by the provisions of this Article shall result in the forfeiture of the Union's right to have materials posted on City bulletin boards. The City agrees it will not exercise its rights provided herein in an arbitrary and capricious manner.

6.6.7 Elected Union officials shall have the right to utilize the City of San Jose's electronic mail

system to make general announcements and inform union members of union meetings and events.

- 6.6.8 Correspondence from the City to the Union shall be in a timely manner. When the Union requests information from the City, any Human Resources staff, and/or Office of Employee Relations the time to respond shall be no less than ten (10) working days, unless extended by mutual agreement.

6.7 Advance Notice

- 6.7.1 Whenever the City considers changes to work rules or work place policies, or considers issues issuing new work rules or work place policies, the Union will be given written notice at least ten (10) working days, absent emergency, before the effective date of the rule or policy. This notice is provided in order that the Union may discuss the rule or policy with the City before they become effective if the Union so requests.

- 6.7.2 In cases of emergency when the City Council, City Manager or Department Director determines that an ordinance, rule, resolution, or regulation must be adopted immediately without prior notice, City management shall provide such notice at the earliest practical time.

Proposed CEO Language

**ARTICLE 8 DUES AND AGENCY FEE DEDUCTIONS**

**ARTICLE 20 MAINTENANCE OF MEMBERSHIP**

*The language in these sections will likely change when an eventual agreement occurs since the dates will reflect the commencement of the new contract.*

**ARTICLE 15 BULLETIN BOARDS INFORMATION POSTING**

- 15.1 Recognized employee organizations may use designated portions of City bulletin boards in departments which have employees in the representation units for which the Employee Organization is recognized and may use the City's Intranet Employee News Network.

- 15.2 Subject to the provisions contained herein, the following types of Employee Organization notices and announcements listed below may be posted on the bulletin boards and the City's Intranet Employee News Network:

15.2.1 Meetings, elections, welfare, recreational and social affairs and such other notices as may be mutually agreed upon between the Employee Organization and the Municipal Employee Relations Officer.

- 15.3 All material shall identify the Employee Organization responsible for its posting. Copies of all material to be posted must be filed with the Municipal Employee Relations Officer who shall have the sole and exclusive right to order the removal of any objectionable material.

- 15.4 The Municipal Employee Relations Officer shall notify the Employee Organization of any material ordered removed. The Employee Organization shall be given the opportunity to revise the

material to delete the objectionable section or sections.

- 15.5 The City reserves the right to determine where the bulletin boards shall be placed and what portion of such bulletin boards are to be allocated to employee organizations.
- 15.6 Failure of the Employee Organization to abide by the provisions of this Article shall result in the forfeiture of the Employee Organization's right to have materials posted on City bulletin boards. The City agrees it will not exercise its rights provided herein in an arbitrary and capricious manner.
- 15.7 Elected Union officials shall have the right to utilize the City of San Jose's electronic mail system to make general announcements and inform union members of union meetings and events.
- 15.8 Correspondence from the City to the Union shall be in a timely manner. When the Union requests information from the City, any Human Resources staff, and/or Office of Employee Relations the time to respond shall be no less than ten (10) working days, unless extended by mutual agreement.

#### **ARTICLE 37 ADVANCE NOTICE**

- 37.1 Except in cases of emergency, advance written notice shall be given to the Union affected by any ordinance, rule, resolution, or regulation directly relating to matters within the scope of representation under consideration or proposed to be adopted by the City Council, any board or commission, committee, or department, and shall be given ten (10) working days to respond prior to implementation.
- 37.2 In cases of emergency when the City Council, City Manager or Department Director determines that an ordinance, rule, resolution, or regulation must be adopted immediately without prior notice, City management shall provide such notice at the earliest practical time.